IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SECOND DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 872 of 1992

Between:

Chaganti Satyanarayana Reddy

S/o Buchirami Reddy, 39 years,

Garapadu village, Vatocherukuru Mandal,

Guntur District.

..... PETITIONER

AND

1. Kidambi Nammalwar..died per LR

2. The District Judge,Guntur,(Tenancy Appellate Tribunal),Guntur.

3. Special Officer cum District Munsif, Guntur

4. K.Srinivasacharyulu s/o late K.Nammalvar,Hindu 54 years,

r/o 24-3-50,R.Agraharam,Guntur District.

(R4 brought on record as perLR of R1 as per order dt 2.7.04 in

WPMP No.2627/03)

....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ of certiorari or any other appropriate writ or order or direction by calling

for the records pertaining to the proceedings of the Special Officer cum Prl. District Munsif, Guntur, dated 20.12.1990 passed in A.T.C. No. 198/81 as confirmed by the district Judge, Guntur in ATA No.1/91 dated 04.09.1991 and quash the same by holding that the said orders are illegal, arbitrary and without jurisdiction.

Counsel for the Petitioner: MR.RAJA REDDY KONETI

Counsel for the Respondent No.2 and 3: GP for Revenue

Counsel for the Respondent No.4: MR.B.KRISHNA MOHAN

The Court made the following:

ORDER:

In this Writ Petition the petitioner, who claims to be a tenant, seeks to assail the orders of the primary Tribunal allowing application filed by the respondent under Section 13(a) of the A.P. (Andhra Area) Tenancy Act seeking eviction of the petitioner, inter alia, on default.

Though, the said application has been contested, inter alia, denying the default as alleged, the primary Tribunal is held that the petitioner has committed default. Hence, allowed the application. On appeal the lower Appellate Court once again on a total consideration of the material on record confirmed the said orders and dismissed the appeal.

Having regard to such finding of fact as arrived at by the both the Tribunals below, I do not find any warrant to interfere with the same.

Therefore, the Writ petition is dismissed. No costs.

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02-09-2004

kvrm/skmr

To

1. The District Judge,Guntur,(Tenancy Appellate Tribunal),Guntur.

2. Special Officer cum District Munsif, Guntur

3. 2 CC to GP for Revenue, High Court Buildings, Hyd. (OUT)

4. 2 CD copies.